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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/875,271

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Ah Hwee Tan

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01/03/2006

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EXAMINER

NGUYEN, CINDY

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,271

Applicant(s)

TAN, AH HWEE

Examiner

Cindy Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-17 and 19-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-17 and 19-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is in response to communication 03/22/05.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

the claimed invention is directed to non-statutory subject matter. Claims 2-17, 19-49 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

whether the invention produces a useful, concrete, and tangible result.

While abstract ideas, natural phenomena, and laws of nature are not eligible for patenting, methods and products employing abstract ideas, natural phenomena and laws of nature to perform a real-world function may well be. In the present case, claims 19-21, 47-49 only recites an abstract idea. The recites steps of merely obtaining information about organizing information into a plurality of classes or cluster with a user configurable information clustering and the steps does not apply, involve, use, or advance of useful, concrete and tangible result, since all the recited steps can be performed in the mind of the user or by use of a pencil an paper. These steps only

constitute an idea of how to organizing information into a plurality of classes or cluster with a user configurable information clustering.

1. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-11, 13-17, 19-22, 28-39 and 41-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheppard (U.S 6026397) (Sheppard) in view of Mitra (US 6421467).

Regarding claims 19 and 47, Sheppard discloses: a method of organizing information into a plurality of classes or clusters with a user-configurable information clustering system comprising:

a) grouping units of information into clusters based on similarities to create a cluster structure (col. 12, lines 21-39, Sheppard); and

modifying said cluster structure by a user according to user knowledge and preferences (col. 17, lines 60 to col. 18, lines 4, Sheppard).

In addition, Sheppard disclose: a user interface (col. 12, lines 50-67, Sheppard);

A knowledge base for storing said cluster structure, wherein said units of information are grouped into classes or clusters based on a similarity function (col. 20, lines 32-50, Sheppard).

However, Sheppard didn't disclose: said classes or clusters have a coarseness which is controlled by a baseline vigilance parameter. On the other hand, Mitra discloses: said classes or clusters have a coarseness which is controlled by a baseline vigilance parameter (col. 5, lines 45-53, Mitra). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include classes or clusters have a coarseness which is controlled by a baseline vigilance parameter in the system of Sheppard as taught by Mitra. The motivation being to enable the system provide a suitable vigilance parameter needed to be selected for a range of clusters that could be formed to generate multi resolution codebooks for wavelet decomposed sub images, and modified self organizing neural network architecture.

Regarding claims 20 and 48, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition, Sheppard/Mitra discloses: indicating by a user a preference for a lower baseline vigilance parameter by selecting at least one unit of information from each of at least two clusters wherein the selected units of information are deemed by the user to be similar to each other (col. 7, lines 10-40, Mitra).

Regarding claims 20 and 49, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition,

Sheppard/Mitra discloses: indicating by a user a preference for a higher baseline vigilance parameter by selecting at least one unit of information from each of at least two clusters wherein the selected units of information are deemed by the user to be similar to each other (col. 7, lines 10-40, Mitra).

Regarding claims 2 and 28, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition, Sheppard/Mitra discloses: wherein said grouping units of information into clusters is carried out automatically to create a machine-generated cluster structure (col. 13, lines 50-67 and col. 18, lines 5-16, Sheppard).

Regarding claims 3 and 29, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition, Sheppard/Mitra discloses: wherein said modifying comprises creating at least one new information cluster defined by the user (col. 17, lines 60-67, Sheppard).

Regarding claims 4, 8, 30 and 35, most of the limitations of these claims have been noted in the rejection of claims 19, 3, 47 and 29 above, respectively. In addition, Sheppard/Mitra discloses: wherein said modifying further comprises labeling at least one information cluster by the user using defined symbol¹ (col. 19, lines 20-35, Sheppard).

Regarding claims 5, 9, 31 and 36, most of the limitations of these claims have been noted in the rejection of claims 19, 4, 47 and 30 above, respectively. In addition, Sheppard/Mitra discloses: wherein said modifying further comprises merging of at least two clusters chosen by the user (col. 6, lines 59-67, Sheppard).

Regarding claims 6, 10, 32 and 37, most of the limitations of these claims have been noted in the rejection of claims 19, 5, 47 and 31 above, respectively. In addition, Sheppard/Mitra discloses: wherein said modifying further comprises splitting at least one cluster chosen by the user (col. 8, lines 1-13, Sheppard).

Regarding claims 7, 11, 33 and 38, most of the limitations of these claims have been noted in the rejection of claims 19, 6, 47 and 32 above, respectively. In addition, Sheppard/Mitra discloses: wherein said modifying further comprises storing said cluster structure in a knowledge base (col. 20, 32-50, Sheppard).

Regarding claims 13 and 42, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition, Sheppard/Mitra discloses: wherein said user-configurable information clustering system comprises an adaptive resonance associative map (col. 12, lines 41-45, Sheppard).

Regarding claims 14 and 41, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition,

¹ Indicated label with respect to the category of information by displayed in tabular form on a blue

Sheppard/Mitra discloses: wherein said user-configurable information clustering system incorporates user knowledge and preferences for information clustering (col. 17, lines 60 to col. 18, lines 5, Sheppard).

Regarding claims 15, all of the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Sheppard/Mitra discloses: wherein said user-configurable information clustering system further comprises a user interface to provide for viewing and manipulating said cluster structure (col. 13, lines 47-64, Sheppard).

Regarding claims 16 and 44, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition, Sheppard/Mitra discloses: wherein each of said units of information is represented by an information vector (col. 16, lines 16-25, Sheppard).

Regarding claims 17 and 45, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition, Sheppard/Mitra discloses: wherein a user-preferred information grouping is represented by a preference vector (col. 16, lines 16-25, Sheppard).

Regarding claims 18 and 46, most of the limitations of these claims have been noted in the rejection of claims 19 and 47 above, respectively. In addition,

background for stock, green background for weather and so forth.

Sheppard/Mitra discloses: wherein said units of information are grouped into classes or clusters based on a similarity function (col. 8, lines 21-39, Sheppard).

Regarding claims 34 and 39, most of the limitations of these claims have been noted in the rejection of claims 33 and 47 above, respectively. In addition, Sheppard/Mitra discloses: wherein said personalization module further comprises means for retrieving the cluster structure from said knowledge base (col. 14, lines 27-35, Sheppard).

Regarding claims 22, most of the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Sheppard/Mitra discloses: further comprising retrieving said cluster structure to initialize said user-configurable information clustering system prior to clustering new information (col. 16, lines 5-15 and col. 15, lines 30-50, Sheppard).

Regarding claims 43, most of the limitations of this claim have been noted in the rejection of claim 47 above. In addition, Sheppard/Mitra discloses: wherein said user interface permits graphical visualization of said information clusters (col. 15, lines 47-64, Sheppard).

Regarding claims 12, 40, most of the limitations of these claims have been noted in the rejection of claims 19, 47 above, respectively. In addition, Sheppard/Mitra

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discloses: wherein said information comprises text, image, audio, video or any combination thereof (col. 3, lines 15-45, Mitra).

1. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
December 17, 2005


FRANTZ GOBY
PRIMARY EXAMINER